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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,127	10/18/2001	Gary J. Sullivan	MSI-945US	9337

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EXAMINER

NATNAEL, PAULO S M

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,127

Applicant(s)

SULLIVAN, GARY J.

Examiner

Paulos M. Natnael

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10-29-05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-18 and 34-37 is/are allowed.
- 6) ☒ Claim(s) 1-7 and 19-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1-6, 19-21,23,24, 29-33** are again rejected under 35 U.S.C. 102(e) as being anticipated by Rasmussen, U.S. 5,995,146.

a) identifying video data to be encoded, is met Controller 20 (Fig.3) within encoder 30 (fig.1), which must identify the video data before encoding it..

b) identifying a plurality of display regions associated with a particular video display type, wherein each of the plurality of display regions is associated with a particular portion of an image associated with the video data, is also met by the controller 20 which enables Pictures 1-4 to be displayed as shown in Fig.1, Pictures 1-4 being associated with a display device and that each region is associated with P1-P4 (90) display regions, Fig.1, which is associated as it were

Art Unit: 2614

with a particular portion of the image/video/picture. (see abstract and Figs. 2A and 2B)

c) encoding the video data such that the encoded video data includes information regarding the plurality of display regions, is met by Compression coding device 36 and Sequence Context inserter 38, fig. 3) which insert sequence context information that includes picture size information, picture location information, as well as other coding parameters used in the chosen video compression method." (col. 4, lines 51-56)

Considering claim 2, a method as recited in claim 1 further comprising identifying an active region of the video data, is inherent because Picture 1- to Picture 4 are all displayed in the active portion of the display device.

Considering claim 3, a method as recited in claim 2 wherein encoding the video data includes indicating the active region of the image associated with the video data, is also inherent because the encoding part predetermines where the Picture 1- to Picture 4 will be displayed in the active portion of the display device.

Considering claim 4, a method as recited in claim 1 further comprising storing the encoded video data, is met by Memory 76, fig.4 in combiner 70.,

Considering claim 5, a method as recited in claim 1 further comprising

Art Unit: 2614

transmitting the encoded video data to a plurality of destinations, is met by the transmitting nodes 1-4., (see also the disclosure on col. 3, lines 6- 10 that there may be more than one receiving node")

Considering claim 6, a method as recited in claim 1 wherein each display region has an associated display region identifier, is inherent because the system (controller) decides which region would display each image in advance in which case there must be some sort of an ID to identify the display region. (see Fig.5B for Header payload ID)

Considering claim 19, a method comprising

a) identifying video data to be encoded, is met by controller 20 (fig.3) within encoder 30 (fig.1).

c) identifying a plurality of display regions associated with the video data, is met by Picture 1- to Picture 4, which are associated with a display type and that each region is associated with P1-P4 (90) display regions, Fig.1; (see also Figs. 2A and 2B)

b) identifying an active region of the video data to be encoded, wherein the active region may be located anywhere within) an image associated with the video, is inherent because the encoding part predetermines where any of the Picture 1- to Picture 4 will be displayed in the active portion of the display device.

Art Unit: 2614

c) Identifying a plurality of display regions associated with the video data, is met also by Picture 1- to Picture 4, which are associated with a display type and that each region is associated with P1-P4 (90) display regions, Fig.1; (see also Figs. 2A and 2B)

d) encoding the video data such that the encoded video data includes an indication of the active region and includes information regarding the plurality of display regions, is met by the disclosure the sequence context information includes picture size information, **picture location information** as well as coding parameters used in the chosen video compression method." (col. 4, lines 53-56 and col. 6, line 29+)

Considering claim 20, a method as recited in claim 19 further comprising storing the encoded video data on a storage device, is met by the memory 76, fig.1;

Considering claim 21, a method as recited in claim 19 further comprising communicating the encoded video data to a video display device, is met by the display 90, fig.1;

Considering claim 23, a method comprising

a) receiving encoded video data, wherein the encoded video data identifies an active region that may be located anywhere within an image defined by the video

Art Unit: 2614

data, and wherein the encoded video data identifies a plurality of display regions, is met by combiner 70, within receiver 60, fig.1, and by Picture 1- to Picture 4, which are associated with a display type and that each region is associated with P1-P4 (90) display regions, Fig.1; (Figs. 2A and 2B; see also col. 4, lines 51-5)

b) identifying the location of the active region, is met by sequence context information 38. (see col. 6, lines 28+)

c) identifying a display region to display on a video display device, is met by controller 20;

d) decoding the encoded video content such that the intersection of the active region and the display region is displayed, is met by decoder 80, fig. 1, which does display the intersection of the two pictures for example P1 and P2 or P1 and P3, (intersection, as interpreted here to mean the line between the pictures, which is not the same as overlapping section of two regions).

Considering claim 24, a method as recited in claim 23 further comprising displaying the decoded video content on a video display device, is met by the display 90, fig.1;

Considering claim 29, see rejection of claim 1;

Art Unit: 2614

Considering claim 30, see Abstract where it is disclosed assigning display location.

Considering claim 31, an apparatus as recited in claim 29 further comprising a storage device coupled to the encoder, wherein the encoder stores the encoded video content on the storage device, is met by the storage means 76, Fig.4 which is part of the combiner 70 that receives the encoded data from transmitting nodes 1-4 through the communications link 50, fig.1 ;

Considering claim 32, an apparatus as recited in claim 29 further comprising a transmitter coupled to the encoder, wherein the transmitter transmits the encoded video content to a destination device, is met by transmitting nodes 1-4, fig.1',

Considering claim 33, See rejection of claim 6.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

Art Unit: 2614

said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **7, 22,25-28** are rejected under 35 U.S.C. 1B3(a) as being unpatentable over Rasmussen, U.S. Pat. No. 5,995,146.

Regarding claim 7, Rasmussen discloses that the transmitting nodes (comprising an encoder) may take the form of a workstation, (i.e., personal computer) or a video conferencing system. (col. 3. lines 20-31) Rasmussen does not specifically disclose computer-readable memories containing a computer program that is executable by a processor to perform the method of claim 1 . However, the Examiner takes official Notice in that it is notoriously well known in the art to utilize an executable computer program to perform a method such as the claimed limitations in claim 1 and, therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Rasmussen so that the action is performed faster without human intervention using the workstation or PC of Rasmussen.

Regarding claim 22, see rejection of claim 7.

Regarding claim 25, see rejection of claim 7.

Regarding claim 26, see rejection of claims 7 and 23.

Regarding claim 27, see rejection of claim 7.

Considering claim 28, one or more computer-readable media as recited in claim 26 wherein the plurality of display regions are associated with a particular type of

Art Unit: 2614

video display device.

Response to Arguments

5. Applicant's arguments filed 10/29/05 concerning claims 1,19,23,26, 29 have been fully considered but they are not persuasive.

Applicant argues in reference to claim 1 that "The receiving node does not display different portions of the same image". However, Claim 1 does not recite "the same image", but simply "an image". Thus, applicant is arguing something that is not found in the claim. Applicant also argues that, concerning claim 19 and 23, the encoder described in Rasmussen does not disclose encoding video data to include both 1 and indication of the active region and 2) information regarding the multiple display regions. Rasmussen discloses information such as picture location information for the plurality of pictures in the encoding process. The examiner submits that display location would not be pointed out or indicated without determining in advance the "active region" or where ever the desired picture is supposed to be located in the display. Thus, the argument is not persuasive because "active region" may be interpreted differently by the skilled in the art.

Allowable Subject Matter

6. Claims 8-18 and 34-37 are allowed.

7. The following is an examiner's statement of reasons for allowance: the prior art fails to disclose a method comprising, identifying video content to be

Art Unit: 2614

encoded, identifying a first display region associated with a first video display type, identifying a second display region associated with the first video display type, wherein the first and second display regions are associated with different portions of an image associated with the video content, and wherein at least two of the plurality of display regions overlap one another, and encoding the video content such that the encoded video content includes information regarding the first display region and the second display region, as in claim 8;

receiving encoded video data wherein the encoded video data identifies a plurality of display regions associated with a particular display type, wherein at least two of the plurality of display regions overlap one another, identifying a display region to display on a video display device, decoding the encoded video content, as in claim 14;

an encoded video content source, a decoder coupled to receive encoded video content from the encoded video content source, wherein the encoded video content identifies a plurality of display regions associated with a particular type of video display device, wherein at least two of the plurality of display regions overlap one another, the decoder further to identify a display region to display on a video display device, and the decoder to decode the received encoded video content, as in claim 34;

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should

Art Unit: 2614


preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 10:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571)272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



PAULOS M. NATNAEL
PATENT EXAMINER

PMN
April 29, 2005